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Director

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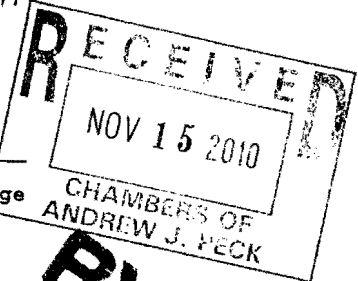
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November 12, 2010

**MEMO ENDORSED**  
*APPROVED***BY HAND DELIVERY**The Honorable Andrew J. Peck  
United States Magistrate Judge  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007-1312

SO ORDERED:

*[Signature]*  
Hon. Andrew J. Peck  
United States Magistrate Judge**BY ECF****Re: The Fridator Trust v. Neuberger Berman LLC  
(S.D.N.Y.) Civil Action No. 10-CV-5917 (BSJ) (AJP)**

Dear Magistrate Judge Peck:

We are the attorneys for plaintiff The Fridator Trust ("Fridator") in this matter. In accordance with Your Honor's instructions during the September 22, 2010 initial pretrial conference, we write to report on the status of Fridator's discovery of the relevant foreign exchange trade documents.

Fridator served its First Request for Production of Documents (the "First Request") on Neuberger Berman LLC ("Neuberger") on September 30, 2010. Fridator also served a Subpoena for Production of Documents (the "Subpoena") on nonparty bankruptcy estate of Lehman Brothers Inc. ("LBI") on October 6, 2010.

LBI served its Responses and Objections to the Subpoena on October 26, 2010, and advised that it would produce responsive documents upon entry of an appropriate confidentiality agreement. Fridator and LBI subsequently entered into a Confidentiality Agreement dated November 9, 2010.

Neuberger served its Response and Objections to the First Request on November 1, 2010, and also advised that it would produce responsive documents upon entry of a Stipulation and Order Governing the Production and Use of Confidential Information (the "Confidentiality Order"). We are working with Neuberger's attorneys, Stroock & Stroock & Lavan LLP to finalize the Confidentiality Order and expect to submit it to the Court early next week for Your Honor's consideration and approval.

Both LBI and Neuberger produced certain responsive documents, received by Gibbons today, and we are in the process of reviewing those documents. LBI's counsel, Alex Patchen of Hughes, Hubbard & Reed LLP, also advised us that LBI entered into certain foreign exchange transactions with Lehman Brothers Commercial Corporation ("LBCC") on behalf of Fridator and that LBCC has relevant trade documents concerning those transactions and various counterparty trades.

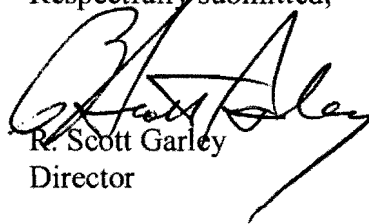
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Accordingly, Fridator intends to review the documents produced by LBI and Neuberger, and proposes to serve a subpoena on LBCC seeking the additional trade documents.

Fridator respectfully requests that it be permitted to proceed in this manner, and then provide the Court with a further status report on or before December 31, 2010. Neuberger has advised that it has no objection to this request. Thank you for Your Honor's consideration of this request.

Respectfully submitted,



R. Scott Garley  
Director

cc: Quinlan D. Murphy, Esq. (By Electronic Mail)